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Security Council

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# Letter dated 26 April 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

The Counter-Terrorism Committee has received the attached letter dated 15 March 2002 from the Permanent Representative of Spain to the United Nations, in his capacity as President of the Council of the European Union (see annex).

I would be grateful if you could arrange for this letter and its annex to be circulated as a document of the Security Council.

(*Signed*) Jeremy **Greenstock**
Chairman
Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

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## Annex to the letter dated 26 April 2002 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council

[Original: French]

## Letter dated 15 March 2002 from the Permanent Representative of Spain to the United Nations addressed to the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism

I have the honour to bring to your attention the following document (copies of which in the French and English languages are enclosed):

"Road map of all the measures and initiatives to be implemented under the action plan decided on by the European Council on 21 September 2001"

I should be grateful if you would have the text of the present letter and its enclosure circulated as a document of the Security Council.

(*Signed*) I. F. **Arias**
Permanent Representative of Spain to the United Nations

**Enclosure**

[Original: English and French]

**Road map of all the measures and initiatives to be implemented under the action plan decided on by the European Council on 21 September 2001**

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
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| **GENERAL AFFAIRS COUNCIL** | | | | | | |
| 1. | Extend the anti-terrorist coalition and make it more effective | Political dialogue/Troika or SG/HR visits/use of multilateral fora/concerted ministerial visits | Ongoing | Presidency/SG/HR/ Commission | – Inclusion of the subject of terrorism in all political-dialogue meetings since 11/9/01<br>– Presidency report to the Laeken European Council | Continuation of systematic and ongoing dialogue at all levels with partners |
| 2. | Strengthen the partnership with the United States [1] | Various contacts at all levels | Ongoing | Presidency/SG/HR/ Commission | – Regular contacts with US at Ministerial level (Pres/SG/HR/Cion)<br>– Systematic coordination of contacts at all SLG meetings<br>– Bilateral contacts between PSC/COTER, sectoral experts and their United States counterparts<br>– Third pillar mission to Washington on 18/10/01<br>– PRO-Eurojust mission to Washington on 19/11/01<br>– Reply to President Bush's letter 28/11/01 | – Continued dialogue at all levels<br>– Exchange of views and follow-up to cooperation<br>– Coordination of contacts in the framework of the New Transatlantic Agenda<br>– EU/US Summit on 2 May (date to be confirmed)<br>– COTER/JHA Troika meeting with the US in June 2002 |

[1] See also points 50 to 57 and 67.

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
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| | | | | | – Signing of EUROPOL–US strategic agreement in the presence of Secretary of State Powell at the JHA Council on 6/12/01<br>– Continuation of informal contacts (Pres/Cion/GSC) with the US Department of State and Department of Justice regarding the principle of extradition negotiations | Informal contacts with the US with a view to initiating negotiations on the benefits of an agreement on mutual assistance in criminal matters.<br>Examination of progress ON the two dossiers by CATS with COTRA |
| 3. | Strengthen the Union's relations with certain countries of Asia particularly concerned by the current situation | | | | | |
| 3a. | Pakistan | Strengthen relations, in particular by:<br>– Community assistance (trade package)<br>– signing the third-generation Cooperation Agreement<br>– Political dialogue | Ongoing | Presidency/SG/HR/ Commission | Meeting at ministerial Troika level in New York on 14/11/01<br>Cooperation agreement signed at Islamabad by Presidency/ Commission/President Musharraf on 24/11/01<br>Proposals adopted by the Council to facilitate trade;<br>First disbursement in the framework of the social action programme (December 2001) | – Implementation of the Agreement; disbursement of additional financial aid (EUR 50 million) and accelerated disbursement in the framework of existing programmes;<br>– Assistance for legislative elections in October 2002 [exploratory mission in March 2002] |

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| 3b. | Iran | Strengthen relations, in particular by consultations with a view to negotiation of a Trade and Cooperation Agreement | Ongoing | Presidency/SG/HR/ Commission | | Council due to adopt negotiating directives for a Trade and Cooperation Agreement in March 2001 |
| 3c. | Countries of Central Asia | Strengthen commitment and relations, substantial contribution to the Bishkek Conference (13-14/12/01), definition of a strategy for the strengthening of cooperation | Ongoing | Presidency/SG/HR/ Commission | – Troika visit 30/10 to 3/11/01<br>– Conclusions of GAC on 10/12/01<br>– Contribution to Bishkek Conference (13–14 December 2001) | – Increase and adaptation of Tacis technical assistance;<br>– Establishment of JHA sub-committees for certain countries;<br>– Strengthening of EU presence in Central Asia;<br>– Strengthening of contractual links with Tajikistan |
| 3d. | India | Definition of the strengthening of cooperation | Second EU-India Summit (23/11/01) | Presidency/SG/HR/ Commission | COTER Troika on 9/11/01<br>Joint communiqué and action plan adopted by the summit on 23/11/01 (with reference to terrorism) | Implementation of the action plan |
| 4. | Strengthen humanitarian aid in Afghanistan and adjacent countries | Making aid available directly and through the UNHCR and other specialised agencies | Depends on political and military developments | Commission/Member States/Development Council | Cumulated allocation of EUR 366 million (as of 22/02/02)<br>High-level meeting (Verhofstadt/Prodi) with the NGOs working in Afghanistan and Pakistan | – Additional contributions depending on needs and developments |

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| 5. | EU support for a political and reconstruction process in Afghanistan | Various instruments | Urgent following latest developments | Member States/Presidency/SG/ HR/Commission | Continued involvement of the EU in the process resulting in the Bonn Agreement (6/12/01)<br>– Meetings of the Steering Committee (reconstruction): Washington 20/11/01, Brussels, 20–21/12/01<br>– Appointment of an EU special representative by GAC on 10/12/01;<br>– EC rapid reaction mechanism: EUR 4,7 million to support the Bonn/Petersberg agreement process;<br>– Donors Conference, Tokyo, 21-22/01/02: EU pledged EUR 550 million for 2002;<br>– Opening of EC office in Kabul;<br>– Adoption of first Community rehabilitation (quick impact) programme with a budget of EUR 57,5 million on 26/2/2002 | – COASI will take account of this in discussions on the Commission communication on a new strategy for Asia<br>– Aid will be provided, in particular through the Afghan Interim Administration |

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| 6. | UN: ensure follow-up to Resolution 1373 adopted by the UN Security Council | | | Member States/Commission GAC and other Councils | – Common Position 2001/930/CFSP on combating terrorism<br>– EU report to the Committee established under Article 6 of Resolution 1373(2001) approved and sent to the Security Council<br>– Catalogue of current and future Community assistance to third countries in the areas covered by Resolution 1373 (justice, home affairs, money laundering, governance, etc.), sent as a Commission document to the Secretariat of the UNSC Counter-Terrorism Committee | – Continuing action in all areas covered by Resolution 1373 |

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| 6a. | Combat all forms of funding of terrorist activities (implementation of Resolution 1373 (2001)) | | | GAC | – Common Position 2001/931/CFSP on the application of specific measures to combat terrorism<br>– Regulation (EC) No 2580/2001: adoption of specific restrictive measures directed against certain persons and entities with a view to combating international terrorism<br>– Decision 2001/927/EC laying down the list provided for in Article 2(3) of Council Regulation (EC) No 2580/2001 on the adoption of specific restrictive measures directed against certain persons and entities with a view to combating terrorism | – Update the list in the Annex to Common Position 2001/931/CFSP (activities of the clearing house)<br>– Meetings on 26/2 and 12/3 |
| 7. | UN: ensure follow-up to Resolution 1390 (2002):<br>– visa ban<br>– embargo on arms sales and military assistance<br>– freezing of assets: implement decisions to freeze the assets of Osama Bin Laden, Al-Qaida, the Taliban and associates taken by the Sanctions Committee set up under Resolution 1267 (1999) | – New CFSP Common Position<br>– New EC Regulation | As soon as possible | GAC/Member States/Commission | | – Examination of the new instruments will continue in the Working Party on External Relations<br>– Commission amendments to the new Regulation, depending on decisions taken in New York |

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
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| 8. | UN: conclusion of a UN General Convention on International Terrorism | Negotiations with the UN partners with a view to reaching global agreement | None | GAC/Member States | – Demarches by the Troika in New York and in the capitals of certain countries<br>– 6th Committee Working Party meetings on 28/1/02 and 2/2/02 (on-the-spot coordination among the 15) | – Negotiations to be monitored by COTER in close collaboration with CATS |
| 9. | UN: signing and ratification of the Convention for the Suppression of the Financing of Terrorism | | Ratification by all Member States as soon as possible | Member States | All Member States have signed the Convention (7/10/01).<br>2 ratifications (4 others planned) | Monitoring of progress of ratifications by the COTER Working Party |
| 10. | UN: Speeding up of the signing, ratification and rapid implementation of all relevant international Conventions<br>*(NB: there are 12 sectoral Conventions)* | Political dialogue/demarches | Ratification by all Member States as soon as possible. Demarches with third States as soon as possible | GAC/SG/HR/ Member States | – Troika demarches<br>– Use of Ministerial meetings during the UNGA Ministerial week | Monitoring of progress of ratifications by the COTER Working Party |
| 11. | – Systematic evaluation of the Union's relations with third countries in the light of their possible support for terrorism<br>– inclusion of a terrorism clause in agreements with third countries | Reference framework ("benchmarks" and "analysis grid")<br>Secretariat policy document (5763/02)<br>Presidency note to GAC (6332/02) | | CAG/Member States | – Examination of any measures to be taken, particularly in the following areas:<br>a) Incorporation of a terrorism clause into agreements with third countries<br>b) Technical assistance to third countries<br>c) Strengthening of political dialogue (bilateral, regional and multilateral) | Examination of the anti-terrorism clause (by the Working Party on External Relations) and technical assistance to third parties, on the basis of the COREPER conclusions, with a view to submitting recommendations to a forthcoming GAC. |

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| | | | | | d) Other trade instruments ("carrot and stick")<br>– GAC 18/02/02: Policy debate (based on Presidency Note) on the anti-terrorism clause and technical assistance to third countries<br>– Discussions in Working Party on External Relations on anti-terrorism clause | |
| 12. | Adjustment of EU policies on non-proliferation and disarmament | – Joint Consideration<br>– Contacts with the United States<br>– GAC conclusions<br>– Joint action on non-proliferation and disarmament in Russia<br>– Targeted iniative | | Presidency/GAC Commission | – CODUN Troika on biological weapons with the United States delegation on 25/10/01<br>– Videoconference with the United States at experts level on 8/11/01<br>– Adoption of GAC conclusions on 10/12/01<br>EU-US consultations on non-proliferation, disarmament and arms control (Madrid, 20/02/02) | – CODUN/CONOP/ COARM Working Parties will continue discussion of the Presidency working document and targeted initiatives |

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| 13. | Step up scrutiny of candidate countries' activities to combat money laundering | Peer evaluation | None. | Commission | New PHARE project on measures to combat money laundering (February 2002) | Meeting of PAPEG Group |
| **JUSTICE AND HOME AFFAIRS (JHA) COUNCIL**<br>***NB:*** *This "road map" contains only actions and measures endorsed in principle by the European Council or the Council. Some Member States have suggested other initiatives which could be incorporated into the "road map" depending on how they are received. (see 13176/01). At its meeting on 6 and 7 December 2001 the Council (JHA) noted the German delegation's proposals set out in 13176/01 and instructed the Article 36 Committee and the Strategic Committee on Immigration, Frontiers and Asylum to examine them as soon as possible..* | | | | | | |
| **LEGISLATIVE MEASURES** | | | | | | |
| 14. | Make Eurojust operational | – Framework Decision<br>– Decision on Headquarters | | Council/European Council | Adoption of the Council Decision setting up Eurojust (28/2/02) | – The Presidency is discussing with NL the arrangements for locating Eurojust provisionally in The Hague<br>– Rules of procedure and financial regulation to be adopted<br>– Appointment of a Director |
| 15. | European arrest warrant | Framework Decision | | Council | – The President of the Council noted political agreement at the JHA Council on 6 - 7/12/01 (14876/01 + COR 1)<br>– EP Opinion 6/2/02 | Parliamentary reservations DK/S/IRL/UK |
| 16. | Definition of terrorist offences | Framework Decision | | Council | – Political agreement by the Council on the draft Framework Decision on 6 - 7/12/01 (14845/1/01)<br>– EP Opinion 6/2/02 | Parliamentary reservations DK/S/IRL |

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| 17. | Freezing of assets | Framework Decision | | Council | Political agreement at Council on 28/2/02 | Reconsultation of the EP |
| 18. | Entry into force of the two Extradition Conventions of 1995 and 1996 | Ratification by Member States | 1/1/02 | Member States | The 2 Conventions are awaiting ratification by F/IRL and I (1996 Convention) and B/F/IRL and I (1995 Convention)<br><br>The 2 Conventions already apply between the Member States which have made a declaration to that effect | |
| 19. | Entry into force of the Convention on Mutual Assistance in Criminal Matters | Ratification by Member States | In the course of 2002 | Member States | – At CATS meeting 17 - 18/1/02, all Member States confirmed that they intended to meet the deadline set for the Convention and the Protocol thereto<br>– Convention ratified by PORT | |
| 20. | Mutual assistance in respect of money laundering and financial crime | Protocol to the Convention on Mutual Assistance | | Council | The Protocol was signed on 16/10/01 (JHA Council) | To be ratified by the Member States |

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| 21. | Examination of legislation with reference to the "terrorist threat" | Commission report | By the end of 2002 | Commission/Council/ Parliament | Commission working paper of 5/12/01: The relationship between safeguarding internal security and complying with international protection obligations and instruments | |
| 22. | Setting up joint investigation teams<br><br>*For operational implementation, see point 33.* | Framework Decision | 6 - 7/12/01 | Council | – Agreement by Coreper on 3/10/01<br>– Urgent procedure initiated by the European Parliament<br>– The Framework Decision will be formally adopted by the Council once Denmark lifts its parliamentary scrutiny reservation | DK parliamentary scrutiny reservation |
| 23. | Prevention of crime involving the use of electronic communication systems | (1) Framework Decision<br><br>(2) Framework Decision on mutual recognition of measures on the taking of evidence (which will also cover investigations into computer crime) | As soon as possible after submission by the Commission | Commission/ Council | | (1) Proposal will be forwarded by Commission in the first half of 2002<br><br>(2) Proposal will be forwarded by Commission mid-2002 |

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| 24.[1] | Ensure a balance between data protection and police efficiency | Directive concerning the processing of personal data and the protection of privacy in the electronic communications sector | | Commission/ Transport Council/ Parliament | Common Position adopted by the Transport/ Telecommunications Council on 25/1/02 | |
| 25.[2] | Setting up a Community mechanism in the field of the coordination of civil protection measures | Decision | | Council | Adoption by the Council on 23/10/01<br>The mechanism has resulted in:<br>– the setting up of an NBC group of experts<br>– the strengthening of the network of contacts between civil protection services<br>– the exchange of information on accidents or threats of terrorist attacks | |
| **OPERATIONAL MEASURES** | | | | | | |
| 26. | Identification of suspected terrorists in Europe and of the organisations which support them in order to draw up a common list of terrorist organisations | Cooperation between services of Member States/Europol | 6 - 7/12/01 | – Council (JHA)<br>– Persons responsible for anti-terrorist units, intelligence and Europol | Council adopted a Common Position and a common list of terrorist organisations on 27/12/01 | List will be updated in March 2002 |

[1] See also point 69.
[2] See also point 47.

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| 27. | Systematic transmission to Europol of any piece of data relevant to terrorism | Member States/Europol cooperation | None | Member States | – The Director of Europol reported to the Council meeting on 6 - 7/12/01<br>– The Working Party on Terrorism on 30/1/02 noted significant progress in this field | |
| 28. | Strengthening cooperation between the heads of anti-terrorist units | Meetings | | Presidency/Police Chiefs Task Force | – The first meeting was held on 15/10/01<br>– Meeting of Police Chiefs Task Force 30 - 31/10/01 reached agreement on a set of proposals (13747/01)<br>– Recommendations on terrorism were discussed by the Working Party on Terrorism on 15/11/01 and by the CATS on 22 - 23/11/01 | – Proposals to strengthen cooperation drawn up by the PCTF will be incorporated into a new document, which will have to be discussed, among others, by the Working Party on Terrorism (ENFOPOL (2000)73 REV 2 and 141 REV 1)<br>– Meeting of PCTF on 9 - 10/4/02 |
| 29. | Strengthening cooperation between anti-terrorist magistrates | Meetings | None | Pro-Eurojust | Following an initial meeting on 10/10/01, there have been regular contacts between anti-terrorist magistrates, with Eurojust acting as intermediary | |

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| 30. | Better cooperation and exchanges of information between all intelligence services | Regular meetings of heads of intelligence services | None | | A meeting of heads of intelligence services was held in Madrid on 20/02/02, with the presence of a Europol representative | |
| 31. | Strengthening cooperation between police services, including Europol and intelligence services | | None | Presidency/CATS | – Methodology discussed by the CATS on 1/12/01<br>– Article 4 of the Common Position of 27/12/01 (2001/931/CFSP) provides for the intensification of police and judicial cooperation in particular in combating the terrorist persons, groups or entities listed in the Annex | |
| 32. | Setting up of a team of anti-terrorist specialists within Europol | Decision adopted by Brussels European Council (21/09/2001) | Urgent | Member States/Europol Management Board | – All Member States have sent police or intelligence specialists to Europol. Team operational in November 2001<br>– Head of team reported to the Working Party on Terrorism on 30/1/02 | Report to Council in April 2002 on progress made and problems encountered |

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| 33. | Setting up of one or more joint investigation teams *See also point 22* | | None | Member States (police, magistrates/ intelligence services)/Europol/ Pro-Eurojust | – Discussed by the Working Party on Terrorism on 30/01/02<br>– Seminar in Madrid, 27 - 28/2/02 | Spanish Presidency initiative on joint police teams |
| 34. | Better coordination between Europol/Pro-Eurojust and the Police Chiefs Task Force | | None | CATS | Initial discussion by the CATS on 17 - 18/1/02 based on a report prepared by the heads of the three bodies (15389/01) | Chairman of Eurojust and Director of Europol will explain their views to the CATS |
| 35. | Speeding up the linking of the EJN to the VPN secure electronic network | | None | General Secretariat of the Council | Technical examination under way by GSC. Pilot project under way | |
| 36. | Updating of the list of Europol competences | Implementation of a joint action | None ongoing | Europol/Council | – Letter from the Presidency to the Director of Europol on 9/10/01<br>Europol report to the JHA Council on 6 - 7/12/01 | |
| 37. | Possible extension of SIS access to other public services | | None | Council | First discussions by Council/COMIX on 6-7/12/01<br>– Agreement by JHA Council on 6 - 7/12/01 on the new SIS II functionalities | Political agreements to be worked out within the SIS Working Party (and possible legislative act) |


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| 38. | Peer assessment of national arrangements for combating terrorism [1] | | Evaluation report before end 2002 | Council/General Secretariat of the Council | Two national experts being recruited | |
| 39. | Inventory of national measures and early warning plans | | Urgent | Working Party on Terrorism and Police Chiefs Task Force | – Meeting of Police Chiefs Task Force on 30 and 31/10/01<br>– Report to JHA Council on 6 - 7/12/01 | The report drawn up by Europol will be submitted shortly to the Council |
| 40. | Send TE-SAT report to the European Parliament | | 6-7/12/01 | Council | | Report to be submitted to the EP – It will shortly be submitted for approval by the Council (Section I item note COREPER/Council, see 5759/1/02) |
| 41. | Intensify cooperation on and harmonisation of legislation on arms and explosives | | None | Commission/Council | Recommendations annexed to 10564/2/01 REV 2, submitted to the Council meeting on 28/1/02 | Initiative to be taken by the Commission before March 2002 |
| 42. | Strengthening of external border checks | Report | Council meeting on 6-7/12/01 | Presidency/Member States/Police Chiefs Task Force/Immigration Services | – Operation HIGH IMPACT on 2 - 3/10/01<br>– Report JHA Council on 6 - 7/12/01 (14570/01 and 14181/01) | |
| 43. | Coordinated recourse to Article 2(2) of Schengen Convention (re-establishment of border checks) | | None | Council | – First examination in the Working Party on Terrorism on 26/10/01<br>– on 23/11/01 the CATS approved a definition of a terrorist threat of exceptional gravity proposed by the Working Party on Terrorism (14181/1/01 REV 1) | Commission to make proposals for Article 2(2) |

[1] See in this connection the letter sent on 26/9/01 by the Permanent Representative of Germany to his colleagues asking to be informed of the measures and general policy plans adopted by each Member State for combating terrorism.

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| 44. | Establish network for exchanging information on visas issued | | None | Commission | Communication from the Commission to the Council and the European Parliament on development of the Schengen Information System II (5472/02) | On the basis of the work carried out by the Council, a feasibility study, prepared in association with the Member States, will be conducted. This study covers the technical, financial and organisational aspects of the development and setting up of SIS II. |
| 45. | Improve input of alerts into SIS (Articles 95, 96 and 99) | | None | Member States | Discussion has begun on all the new SIS functionalities and issues of data quality and updating the system | Development of political agreements in SIS and SIRENE Working Parties (possible legislative act) and discussion of Presidency proposal for technical improvements |
| 46. | Internal security and compliance with international obligations regarding protection of fundamental rights | Working document | Urgent | Council/Commission | The Commission has adopted a working document on the relationship between safeguarding internal security and complying with international obligations regarding the protection of fundamental rights | |

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| 47. | [1] Increase cooperation in civil protection and health | Programme designed to improve cooperation between Member States<br><br>Appointment of a European coordinator for civil protection action | | Commission, Council, Member States: DG for civil protection | The COREPER meeting of 14/11/01 instructed various committees and working parties to make contributions, several of which have already been submitted (Environment, Health, CIVCOM, Civil Protection and Research. The Military Committee is continuing its work). | – COREPER has reserved the possibility of examining the coordinator's profile and any necessary agency<br>– The Presidency submitted to the Working Party on Civil Protection a draft Resolution on a work programme for improving Union cooperation in responding to bacteriological, chemical and nuclear terrorist attacks |
| 48. | Increase security standards at airports and on board aircraft<br>*(see point 64)* | | Urgent | Council/Member States | – Proposal for a Regulation laying down common rules in the field of civil aviation safety<br>– Austrian delegation has submitted proposals | Add to agenda for next meeting of Police Chiefs Task Force and work closely with transport industry |
| 49. | Extension of machinery for automatic information exchange between the Financial Intelligence Units (FIUs) | | Urgent | Council | – Operational meeting of heads of FIUs on 12/10/01<br>– Meeting of the informal group of FIU experts on the occasion of the MDG meetings on 20/9/01 and 9/11/01 | A meeting with heads of FIUs is planned under the Spanish Presidency. |

[1] See also point 24.

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| **COOPERATION IN THE JHA FIELD WITH THE UNITED STATES**<br>***NB**: A delegation made up of representatives of the Ministry of the Interior (including the Department for State Security and the Aliens Department), the Ministry of Justice and the Police Services of the present and incoming Presidencies, the Commission, the Council General Secretariat, Europol and Pro-Eurojust travelled to Washington on 18 October 2001 to discuss arrangements for implementing the measures described below. All of these points were discussed during the trip to the United States.*<br><br>*Practical steps have been taken (designation of contacts, attendance by US delegates at some meetings, concrete proposals for cooperation between departments, documents describing various aspects of the problems sent for examination, particularly as regards data protection).* | | | | | | |
| 50. | Assessment of all aspects of terrorist threat | Meetings/contacts | Urgent | Europol/Council | | Several contact points identified :<br>– Joint COTER/ Working Party on Terrorism Troikas twice every six months<br>– Team of counter-terrorism specialists set up within Europol must work closely with its American counterparts |
| 51. | Increased EU-US cooperation in relevant international fora | Meetings/contacts | Ongoing | Council/Member States | Discussion at informal JHA meeting (Madrid, 8/2/02) | Monitoring by COTER and transatlantic dialogue bodies |

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| 52. | Pressure on countries where banking systems facilitate the generation and transfer of funds which could finance terrorism | Diplomatic contacts | Ongoing | Council/Member States/Commission | – At its meeting in Washington (29 and 30/10/01) the FATF, extending its mandate to cover action to combat the financing of terrorism, adopted 8 recommendations on coordination<br>– Member States' coordination meeting in Hong Kong on 28/1/02 | Monitoring of FATF discussions by ECOFIN and JHA Councils<br>Preparation of EU common positions in the FATF<br>The meeting of the FATF (Rome 7 - 8/5/02) will discuss the revision of the 40 FATF recommendations, including the financing of terrorism. The plenary meeting of the FATF (19 - 21/6/02) will examine the implementation of the 8 special recommendations |
| 53. | Share best practices in the fight against terrorism | Contacts | None | Member States | Mandate to Police Chiefs Task Force | Meeting of Police Chiefs Task Force in Madrid on 15/04/02 |

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| 54. | Intensify cooperation between Europol and US law enforcement agencies | – Informal cooperation<br>– Agreement without exchange of data<br>– Negotiation of an agreement | | Europol/Council | – Signing of the agreement between Europol and the US on 6/12/01 (excl. personal data)<br>– Council agreement on 6/12/01 for the Director of Europol to open negotiations for an agreement with the US (incl. exchange of personal data)<br>– Development of a joint Europol/FBI project on the methods used by the perpetrators of the attacks on 11/9/01 (joint Europol/FBI doc. will be available in April)<br>– Appointment of an FBI agent on secondment to Europol (since 1/2/02) | Poss. meetings of ad hoc Working Party/US (FAA)<br><br>Appointment in April of two Europol liaison officers in Washington |
| 55. | Intensify cooperation on mutual assistance in criminal matters | EU-US agreement based on Art. 38 TEU | None | Presidency/Council | – Informal talks with the US on 11/2/02<br>– JHA Council 28/2/02<br>The Council agreed to adopt the negotiating mandate, if possible, at its meeting on 25/4/02 | |

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
|---|---|---|---|---|---|---|
| 56. | Intensify cooperation between Pro-Eurojust/ Eurojust and US magistrates specialising in counter-terrorism | Contacts | None | Pro-Eurojust | – Visit by 3 members of Pro-Eurojust to Washington on 19/11/01<br>– Appointment of a US contact point for Eurojust<br>– Regular meetings between Eurojust and the US contact point | |
| 57. | Intensify cooperation with the United States in the field of illegal immigration, visas and false documents | Contacts | None | Strategic Committee (SCIFA) | – Ad hoc Working Party of Experts meeting on 10 - 11/12/01 at the Commission put forward specific proposals which were discussed at the SCIFA meeting on 28 - 29/1/02<br>– Meeting on 8/2/02 in Madrid with the US in the context of the transatlantic dialogue<br>– Adoption by the Council (JHA) of an action plan against illegal immigration on 28/2/02 | SCIFA/US meeting in April 2002 |

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
|---|---|---|---|---|---|---|
| 58. | Measures against non-cooperating countries and territories (NCCTs) identified by the FATF and enlargement of FATF action to include measures to combat financing of terrorism. Better coordination between Member States | Coordination in FATF<br><br>Implementation by the Member States of 40 FATF recommendations on money laundering | | Council/Member States | – Joint JHA/ECOFIN Council decided on 16/10/01 that Member States would take a series of joint counter-measures (12665/01)<br>– Plenary meeting of the FATF in Washington on 29 - 30/10/01 (at which FATF remit extended to cover funding of terrorism). Decision to identify, as from June 2002, countries which do not combat the financing of terrorism<br>– Examination of the model for standard agreement on mutual assistance in criminal matters by CATS (17/1/02) and COREPER (31/1/02) with a view to its adoption by the JHA Council | – FATF meeting in Paris on 21/6/02 |
| **ECOFIN COUNCIL** | | | | | | |
| 59. | Possible insider offences linked to the attacks on 11/9/01 | | | | Report submitted to ECOFIN Council on 16/10/01<br>Committee of European Securities Regulators is continuing its investigations | |

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
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| 60. | Prevention of use of financial system for money-laundering purposes | Directive | 15/06/03 | Member States | Directive adopted in November 2001 | Transposition in Member States |
| 61. | Measures to counter insider dealing and market manipulation (market abuse) | Directive | None | Council/European Parliament | Under examination at Working Party level<br>General guidelines drawn up by the Council on 13/12/01 | |
| 62. | Establishing minimum transparency criteria for various types of legal entities (such as trusts, trust funds and foundations), for the purpose of identifying the beneficial owners more easily | Definition of priorities and measures | Before the end of the year | Commission/Council | Council has taken note of Commission's report | Commission will shortly be proposing possible priority measures |
| **TRANSPORT/TELECOMMUNICATIONS COUNCIL** | | | | | | |
| 63. | Adoption of air security standards in the areas already identified | – Regulation on ground checks in EU airports (First part of discussions in ad hoc multidisciplinary group)<br><br>International cooperation within the ICAO<br><br>Reinforcement of safety standards | Council on 6-7/12/01<br><br>Ongoing | Council/Parliament<br><br>Member States<br><br>Commission | – Common Position adopted by the Council on 29/1/02 and forwarded to EP<br><br>– ICAO Conference on security (19-20/2/2002): implementation of obligatory audit mechanisms; financing commitment from the Member States | – Parliament to adopt a position on the Council's Common Position (second – reading)<br><br>– Adoption by the ICAO Council of stricter security standards (cockpit access)<br>Continuation of work by experts on the points already identified |

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
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| 64. | – Additional security measures in civil aviation<br>(a) measures capable of rapid implementation, including cooperation with the US on common security standards<br>(b) recommendations for further discussions | Ad hoc multidisciplinary group in cooperation with the ECAC | March 2002 | Commission/Presidency | – The Commission has drawn up legislative proposals in response to the Council conclusions of 7/12/01. | |
| 65. | Economic situation of air transport sector, particularly:<br>– Compensation for losses in wake of closure of US and Israeli airspace (11 to 14 September)<br>– Covering higher insurance charges | State aid/Commission examination | None<br><br>until end March 2002 | Commission/Member States | Transport Council conclusions on 16/10/01<br>Commission/US exchange of letters on US and Swiss predatory practices<br>Conclusions of ECOFIN Council (4/12/01) and Transport Council (7/12/01) | Monitoring by the Commission |
| 66. | Increased international cooperation in the interests of heightened security worldwide | ICAO | ICAO Council June 2002 | Commission/Council/ Member States | The high-level Ministerial Conference (19 - 20/2/02, Montreal) acknowledged that aviation security remains the responsibility of States and decided on an Action Plan with a security audit programme to monitor implementation of security measures. The Member States agreed to contribute to the financing of the audit | ICAO discussions on<br>– development of the action plan<br>– in particular, establishment of international regulations governing cockpit security<br>– implementation of the audit programme |

| | OBJECTIVE | MEANS/ INSTRUMENTS | DEADLINE | BODY RESPONSIBLE | PROGRESS ALREADY MADE | FORTHCOMING WORK |
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| 67. | Increased security standards in the field of shipping<br>– Requirement for all ships to carry an automatic information system (advance implementation)<br>– development of security plans for ships<br>– extension of security rules in ports | Amendments to the IMO's SOLAS Convention and its extension to cover ports | – MSC 75, London, 15 - 24/5/02 | Member States (coordinated at Council level) | Broad agreement among Member States on the general principles of the action to be taken within the IMO (including MSC Intersessional meeting, 11 - 15/2/02, London) | Coordination in Brussels and London for MSC 75 |
| 68. | Additional security measures in the field of shipping<br>– legal force for certain measures not binding on the IMO<br>(Circ. 443) | Community legislation proposal | Proposal expected in the course of the second half of 2002 | Commission | | Dependent on IMO discussions |
| 69.[1] | Ensure a balance between data protection and police efficiency | Directive concerning the processing of personal data and the protection of privacy in the electronic communications sector | None | Commission/Council/ Parliament | Adoption of Common Position by Transport/ Telecommunications Council on 25/1/02 | Follow-up to the codecision procedure |

[1] See also point 24.